

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DTPI HOLDINGS, INC., etc.,

Plaintiff,

vs.

KIRK SCHERER,

Defendant,

2:07-cv-690-RCJ-RJJ

O R D E R

This matter is before the Court on DTPI's Amended Motion to Issue Order to Show Cause, to Deny Exemptions or Alternatively Continue Hearing and to Authorize Sale of Assets (#123).

The Court having reviewed the Motion (#123) and good cause appearing therefore,

IT IS HEREBY ORDERED that DTPI's Amended Motion to Issue Order to Show Cause, to Deny Exemptions or Alternatively Continue Hearing and to Authorize Sale of Assets (#123) is **GRANTED IN PART AND DENIED IN PART WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that DTPI's Amended Motion to Issue Order to Show Cause, to Deny Exemptions or Alternatively Continue Hearing and to Authorize Sale of Assets (#123) is **GRANTED** in that:

1. Defendant Kirk Scherer is to immediately produce the documents identified in the Court's May 1, 2009, order;
2. Defendant Kirk Scherer shall sit for a debtor examination within 21 days of the production of documents; and,
3. On or before October 8, 2010, shall file a statement with the Court and show

1 cause, if any he has, why he should not be sanctioned for his failure to comply
2 with an Order of the Court.

3 IT IS FURTHER ORDERED that DTPI's Amended Motion to Issue Order to Show
4 Cause, to Deny Exemptions or Alternatively Continue Hearing and to Authorize Sale of Assets
5 (#123) is **DENIED WITHOUT PREJUDICE** as to the remaining requests to the extent that
6 counsel may raise these issues in a renewed motion following the completion of the production
7 of documents and debtor examination.

8 DATED this 24th day of September, 2010.

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12 ROBERT J. JOHNSTON
United States Magistrate Judge
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